

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, July 12, 7:00 p.m. 20 10

CALL TO ORDER:

1. The council meeting was called to order Monday, July 12, 2010 at 7:00 p.m. by President of Council Daryl Revoldt.

OPENING PRAYER:

2. The opening prayer was delivered by President of Council Daryl Revoldt.

PLEDGE OF ALLEGIANCE:

3. All present recited the Pledge of Allegiance.

ROLL CALL:

4. Mr. Revoldt: Clerk, would you please call the roll.

The following members of Council responded to roll call: Council Members Davies, DeOrio, Foltz, Peters, Revoldt and Snyder. Council Member Kiesling was not present for this meeting. Also present were: Mayor Held, Interim Director of Administration/Engineer Benekos, Director of Law Nilges, Director of Finance Zumbar, Director of Economic Development Bowles, Superintendent of Permits & Inspections Hampton, Supt. of Streets & Utilities Chufar, Rental Coordinator Raymond, Administrative Assistant to the Mayor Dolan, and Clerk of Council Kalpac.

Mr. Revoldt: May I have a motion to excuse Mrs. Kiesling.

Mr. DeOrio moved and Mr. Peters seconded to **excuse the absence of Council Member Kiesling**. All members present voting:

Yes: DeOrio, Foltz, Peters, Revoldt, Snyder, Davies.

No: 0.

CONSIDERATION:

5. Mr. Revoldt: Council has for its consideration minutes of its meeting from June 28, 2010 as well as the mayor's court receipts. Are there any amendments or questions to those documents?

Mr. DeOrio: Mr. President, I would move that you approve those as submitted.

Mr. Davies: Second.

Mr. DeOrio moved and Mr. Davies seconded to approve minutes of June 28, 2010, and Mayor's Court Receipts for April and May, 2010. All members present voting:

Yes: Foltz, Peters, Revoldt, Snyder, Davies, DeOrio.

No: 0.

COMMITTEE MINUTES:

6. Mr. Revoldt: Council also has for its consideration minutes from its Committees of June 6, 2010 (meant July 6, 2010).

Mr. DeOrio: Mr. President, I would for adoption of those Committee minutes as presented.

Mr. Davies: Second.

Mr. DeOrio moved and Mr. Davies seconded to **approve the minutes of the Committee of the Whole meeting held July 6, 2010** as submitted. All members present voting:

Yes: Peters, Revoldt, Snyder, Davies, DeOrio, ...

Mr. Foltz: Was that July 6?

Mr. DeOrio: June.

Mr. Revoldt: June - excuse me, that would be July 6th.

Mr. Foltz: Okay.

Mr. Revoldt: which is attached to your packet, listed as a Committee of the Whole. Has it been moved?

Mr. DeOrio: It was moved and seconded.

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Mr. Revoldt: And seconded - Clerk.

Yes: Revoldt, Snyder, Davies, DeOrio, Peters.

Abstain: Foltz

No: 0.

Committee of the Whole: Please refer to the minutes on file in the Council Office of the Committee of the Whole meeting held July 6, 2010.

7. Mr. Revoldt: The next item on our agenda is the presentation of the Ohio EPA Endorsement Statement for our Water Source Protection Plan. Mr. Pattison, please step forward to the mic.

Mr. Pattison: Thank you, Mr. President, Mr. Mayor and Council Members. My name is Bob Pattison and I'm the Chairman of the Source Water Protection Plan Committee. And after a few years, we're ready to bring our report to you. At least it seems like a few years - I think a few years ago, Kathy Magel, when she was on Council, kind of started the ball rolling and working with EPA to start looking at the protection plan. So I want to thank you as a resident of North Canton and a user of the water. I think it's a good idea to do this and I was happy to be involved in it. Committee members that worked hard on this and tried to do their best in preparing this - Miriam Baughman that's here tonight; I didn't see Greg here, Greg Wernet was also a member; Councilman Jeff Davies was very instrumental in working with us; as Earle Wise and Rich Steinhebel also assisted in this process. Special thanks to Kathy Epp who is the Ohio EPA representative and she is here tonight to talk to us for a minute and also Tom Powell with Hammontree & Associates who really put all of our findings together and put it into the kind of report that you have. So, we want to thank all of those people. The Water Protection Plan is designed to protect our water supply and I think it does that, and as well as doing that, it also puts some responsibilities and I think some activities that we're requesting Council look at over the next couple of years, to make this a report that's not just going to sit on a shelf some place, but it's going to be actually utilized and worked on through the Administration and through the Water Department. A couple of the things that's being recommended is a Source Water Overlay District that you might want to consider, involving with your zoning to know where the potential threats are to our water supply and maybe make some specific regulations or ordinances that would deal with that issue. I notice you've got an updating going on with your sewer systems and we need to make sure those are continued in order to protect the water supply, as well as an educational outreach component. We want to make sure that the citizens know about the water supply and why it's a good water supply and how we're going to keep it a good water supply. And I think that there was even some mention of maybe even kind - trying to grandeur your water supply. I know that you want to make that water supply available to others and to have a good brand with that I think would help in marketing that. One of the - one of the things that the Committee looked at was the time of travel for any potential threat to get into the water supply. And we used a one (1) year and a five (5) year time of travel determination as recommended by the Ohio EPA; and we looked at the old Hoover plant and there was some concern that the - that the organic chemicals that had been identified there in the water - water table may threaten our water supply. When we looked at the one (1) year and five (5) year time of travel, it did not fall into that area. So really that site does not impact, at this point in time anyway, our water supply - the well fields. What we did find though, was that there is a plume of hydro-carbons emanating from that source and is primarily emigrating off-site up Viking Street. And to my knowledge there has not been any assessments of the homes in that area to determine whether there has been any vapor intrusion coming from that plume. So, even though it does not fall under the parameters of the Water Committee - Water Protection Committee, we feel it is a - an issue that needs to be addressed by City Council probably, and we'd be happy to help in any way that we could to further that assessment, to make sure that there are no threats to the residents of that - of Viking Street. With that, we did submit the - the complete report to the Ohio EPA. We have received their endorsement of that plan and Miss Kathy Epp is here to make that presentation to you.

Mr. Davies: Bob, may I say something just before Kathy comes up?

Mr. Pattison: Sure.

Mr. Davies: Bob misspoke when he said I was instrumental. The two (2) people that were instrumental on this committee was Bob and Miriam who did the lion's share of the work. But I wanted to say, the Committee's job was made relatively easy because of the work of Rich Steinhebel; much of the information that we had to have for this report and so forth, Rich already had and the work was done. And he was invaluable to this and it made our jobs easy. The man cares about the water system, he knows what's going on - he's - he did a lion share of the work, he and his department. You know he's done this work and kept up on all these things for years and years and years so it made our job much easier.

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Mr. Pattison: And the data that he had was very instrumental in making, like you said, a lot easier...

Mr. Davies: Absolutely.

Mr. Pattison: to put it together, to put it into a plan. So...

Mr. Davies: Well, the committee worked and particularly, Miriam and Bob worked hard. Rich Steinhelbel made this an easy job because of the work he's done over the years for this City.

Mr. Pattison: I would concur that. Thanks, thanks. Miss Kathy

Ms. Epp: Just stay right there, don't go far.

Mr. Pattison: I'll stay right here.

Ms. Epp: My name is Katherine Epp and I'm with the Ohio EPA. I'm delighted to be here tonight because I want you to know that, and I'm very pleased to inform you that the Ohio EPA endorses the Source Water Protection Plan that's been developed by North Canton and the Protection and Assessment Committee. The Plan identifies potential contaminant sources located within the delineated protection area and proposes appropriate and practical productive strategies. And the Ohio EPA commends the City of North Canton for developing a comprehensive and a flexible plan. It can be modified as needed due to land changes, change in water production and water demand, and as further information regarding any contaminant sources becomes available. This is a living document that will serve the community well for the years to come. We commend the City of North Canton for recognizing the importance of protecting its valuable ground water resources. And with that I would like to commend the Committee for its hard work in putting this plan together. And Bob, if you could come forward, this is a Certificate of Recognition awarded to the City of North Canton for efforts taken to protect the City's sources of drinking water through completion of a Drinking Water Source Protection Plan and it's signed by Chris Carleski, the Director of the Ohio EPA and Michael Baker, Chief of the Division of Drinking Ground Waters.

Mr. Pattison: Thank you very much. Miriam needs to touch it too.

Mr. Davies: Miriam went to every -- you went to every one of the meetings because EPA put on three (3) or four (4) -- five (5), I was close...

Ms. Epp: Five.

Mr. Davies: and Miriam was at every one. And she was invaluable in keeping us in line and doing the right thing.

Ms. Epp: If I could ask your indulgence to a photograph of the Committee and we want you to come forward, too.

Mr. Pattison: David, Jeff, come on.

Ms. Epp: What don't you stand right there in front of the...

(Committee members and Mayor Held posing for picture)

Mr. Foltz: As a suggestion, why don't you take one with Kathy Magel? I know she worked very hard at this. Inaudible... It's probably easier to go her way. Thank you. Whatever members also might be here.

Mr. Davies: Let's take one picture with Kathy (Magel), because she was instrumental in getting this all going.

(Applause)

Ms. Epp: Inaudible... since your City Council has so kindly ...inaudible... Thank you so much.

8. Mr. Revoldt: Okay, let's move on to our next item which is recognition of visitors. Is there anyone here who wishes to address the Council? Mr. Osborne.

Chuck Osborne: I don't know if I missed it. Did you put into the record, of Marcia Kiesling's...
Mr. Snyder: Yes.

Mr. Osborne: I missed it I guess. Chuck Osborne, 307 Fairview Street SE, North Canton, Ohio. On February 11, 2008, Item 13 on the North Canton City Council agenda was Ordinance No. 10-08. The legislation, presented by the Finance & Property Committee for passage on an emergency, was introduced as and I quote, "authorizing the Mayor of the City of North Canton to enter into a professional services agreement by and between the City of North Canton and the Auditor of State for completion of a Performance Audit of the various City of North Canton departments, in an amount not to exceed \$64,500." On January 6, 2009,

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a 123 page report. The cover letter to the Performance Audit is addressed, and I quote, "To the Residents, Mayor, and City Council of the City of North Canton." In it Taylor states, and I quote, "The audit provided an independent assessment of select City services and administrative processes and identified opportunities to optimize operational and service levels. The recommendations in the audit are intended to assist the City in its efforts to prepare for its projected financial condition." The Performance Audit is a comprehensive – is comprehensive in its scope and contains 40 recommendations to help city leaders identify cost savings and opportunities to optimize efficiency and deal with forecasted deficits. The recommendations are broken down into three major areas: The area of Administration and City Management has 22 recommendations for improved cost savings and efficiencies; The area of Safety Services has 9 recommendations; as does the area dealing with the City's Service Departments. Apparently this "paint by the numbers" guide that details specific opportunities to optimize operational and service levels and identify cost savings and opportunities was not of as much help for Mayor David Held as one might expect. In little more than four months from the January 6, 2009, release of the Performance Audit by the Auditor of State, City e-mails indicate that then City Administrator Earle Wise was advised by Bruner-Cox, on May 14, 2009, that Mayor Held had asked the firm of Bruner-Cox, LLP, "to assist The City of North Canton in regards to the January 6, 2009 Performance Audit." Mayor Held, I do not understand and I hope you can explain. Why would anyone need assistance understanding the recommendations made to the City in the Performance Audit? On July 13, 2009, Mayor Held signed a letter of engagement with Bruner-Cox, LLP. The engagement letter states that their services are, and I quote, "for the purpose of assisting in the proposed review, implementation, and evaluation of the recommendations in the Performance Audit." Why does the City of North Canton, whose Mayor has a master's degree and a City Administrator, who is a licensed attorney need assistance in reviewing, implementing and evaluating recommendations in the Performance Audit? The Engagement Letter states that the services that Bruner-Cox are to perform for the City do not constitute an audit made in accordance with generally accepted accounting procedures, commonly referred to as GAAP. The engagement letter states that fees for the services will range from \$12,000 to \$15,000. On October 14, 2009, City Administrator Earle Wise signed a purchase order authorizing the expenditure of \$15,000 for the Performance Audit Review by Bruner-Cox. On January 9, 2010, Bruner-Cox provided a draft of what I call an "audit" of the "audit." The draft is labeled, and I quote, "Review of the North Canton City Performance Audit Project." Despite my repeated written records requests to City Administrator Wise for copies of the Bruner-Cox draft report, Administrator Wise has never complied. At this time, I have no idea if Bruner-Cox has ever complied with the terms of its Engagement Letter with the City of North Canton with the submission of a final report. It has been six months since the draft report was provided to the City. What did Mayor Held get for his expenditure of \$15,000 of taxpayer funds? Seemingly nothing of any value. The review of the North Canton City Performance Audit by Bruner-Cox, in my opinion, is an utter waste of \$15,000 in public funds. The review consists of 32 pages which simply re-states the recommendations made in the Performance Audit along with brief interviews with City employees. Mayor Held, if you wanted to know the current status of operations in the City, why did you not talk to your City Administrator or your department heads? As a former City Administrator yourself, I would suspect that you were quite personally familiar with City operations and City departments. With six years experience in the City of North Canton, two years as City Administrator and nearly four years as Mayor, I do not understand why you felt you needed added guidance into the administration and operation of the City of North Canton. Mayor, if you are wondering why City Council is formulating plans to limit your authority on future expenditures, I do not believe you need to look any further than this expenditure of \$15,000. This expenditure was an utter waste at a time when this City can ill afford it. There is no plausible explanation for this waste of taxpayer funds. How could you possibly think this would have any benefit to the City of North Canton? Why has this expenditure by Mayor Held not been discussed publicly by City Council? Where is the accountability and transparency in government that is so desperately needed here in North Canton? I compiled a spread sheet of all the Performance Audit recommendations – there's 40 of them. As I said, it's a by the numbers. If you can – if you have sixth grade reading comprehension, you should be able to understand it. I'll leave this with you.

Mr. Revoldt: Thank you sir.

Mr. Osborne: Inaudible... a copy of this. Thank you.

Mr. Revoldt: Thank you.

Mayor Held: Can I respond?

Mr. Revoldt: You may.

Mayor Held: Yea, well, first off, Chuck, so that everybody's real clear on this – I did support and authorize Bruner Cox to come in and to provide oversight to the City. As far as the implementation of the audit, one of the challenges that we have in the City of North Canton, we went from 116 employees down to roughly 95 employees. Our department heads went from approximately 10 down to I think we're at 4 right now. So driving implementation, and also bringing accountability to Council, because at the time, there were concerns that were brought up by members of Council, that we were not implementing or there were questions as far as the implementation. So, what we wanted to be sure is that we were keeping things open so that when we brought up that the

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Administration had implemented request number 1a or 2b or 3c, that indeed that was done. So that's why Bruner Cox was brought in. We are open and we are transparent. We want to make sure – when we're looking at the challenges that we face right now with the City, the financial challenges, we wanted to make sure, along with City Council, that we're doing everything we possibly can to do that. And we'll be reporting, but it's not complete yet that we've – so far, as a result of the Bruner Cox Audit and the State Audit, which I think totals less than \$100,000, we've saved over \$600,000 and we will be reporting on each and every item of that. So, I feel very confident, very comfortable with the work that Bruner Cox did. I'm also very confident and I'm very comfortable with the work that the State Auditor did. And if I had to do it all over again, I would do it again. Secondly, and I've got to bring this up because, Chuck, I listen to your points that you bring up regularly, but last week you had asked me if you could serve as the City Administrator and then you said, in order to be consistent with cost savings, you'd do it at no charge. Well, that's not going to happen. Jim Benekos is going to be the new City Engineer and I'll tell you, it's really frustrating to have to sit here and listen to you bring things up that really don't make any sense. But then at the same time, you want to serve as the City Administrator. So, to answer your question, that's not going to happen and secondly, again, just to repeat myself, I feel really confident in the work that was done by Bruner Cox – a very reputable accounting firm and also by the State. That's all I have to say.

Mr. Osborne: Bruner Cox just repeated what the State recommended.

Mayor Held: I completely disagree with you – just disagree with you, but thanks.

Mr. Revoldt: You'll be recognized by the Chair. Thank you. Is there anyone else who wishes to address the Council? Seeing none then, let's move on to New Business.

OLD BUSINESS:

None.

NEW BUSINESS:

9. Mr. Revoldt: May I have a motion to read by title only, first reading, Ordinance No. 58-10.

Mr. Davies moved and Mr. Peters seconded to **read by title only, third reading**, Ordinance No. 58-10. All members present voting:

Yes: Snyder, Davies, DeOrio, Foltz, Peters, Revoldt.

No: 0.

Ordinance No. 58-10 – 1st Reading – Ordinance, Rules & Claims

An ordinance amending Chapter 533, Obscenity and Sex Offenses, of the Codified Ordinances of the City of North Canton, specifically Section 533.14 RESIDENTIAL RESTRICTIONS FOR SEXUAL PREDATORS, to include the classification of Tier III sex offender/child victim offender ("Tier III") as defined in Revised Code 2950.01(G), and declaring the same to be an emergency.

Mr. Revoldt: As was discussed last week, this particular amendment brings our code into conformance with federal and state statute rulings. And for the press, Tier III constitute the most egregious forms of sexual crimes. These include rape, sexual battery, aggravated murder with sexual motivation, murder with sexual motivation – there's a longer list but I think you capture the flavor of the criminal activity covered under this ordinance. Are there any other questions or comments from Council? Seeing none, then a motion to adopt the first reading of Ordinance No. 58-10.

Mr. Davies moved and Mr. DeOrio seconded to **adopt the first reading** of Ordinance No. 58-10. All members present voting:

Yes: Davies, DeOrio, Foltz, Peters, Revoldt, Snyder.

No: 0.

Mr. Revoldt: Motion to suspend the rules for Ordinance No. 58-10.

Mr. Davies moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 58-10. All members present voting:

Yes: DeOrio, Foltz, Peters, Revoldt, Snyder, Davies.

No: 0.

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance No. 58-10.

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Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 58-10. All members present voting:
 Yes: Foltz, Peters, Revoldt, Snyder, Davies, DeOrio.
 No: 0.

11. Mr. Revoldt: Item 11, a motion to read by title only, first reading of Ordinance No. 59-10. Mr. Davies moved and Mr. DeOrio seconded to **read by title only, first reading**, Ordinance No. 59-10. All members present voting:
 Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz.
 No: 0.

Ordinance No. 59-10 – 1st Reading – Personnel & Safety

An ordinance establishing a rate of compensation and the position of Interim Director of Administration/Engineer for the City of North Canton and declaring the same to be an emergency.

Mr. Revoldt: Mr. Peters.

Mr. Peters: Yea, I mean basically this is self-explanatory. This is for Mr. Benekos' new position.

Mr. DeOrio: I would just add that we changed it to Interim Director of Engineering and Administration – the acronym would be idea.

Mr. Revoldt: I like it. Well...

Mr. DeOrio: You can quote me on that Edd.

Mr. Revoldt: You know, Jim, you have asked

Mr. Benekos: A lot of new ideas.

Mr. Revoldt: what we'd like and I think Pat's comment captures it because the pressure is going to be on for ideas.

Mr. Snyder: What do you need, an 8 x 12 business card to get all that on?

(Laughter)

Mr. Revoldt: He'll need somebody to carry his card. May I have a motion to adopt the first reading of Ordinance No. 59-10.

Mr. Davies moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 59-10. All members present voting:
 Yes: Revoldt, Snyder, Davies, DeOrio, Foltz, Peters.
 No: 0.

Mr. Revoldt: Motion to suspend the rules for Ordinance No. 59-10.

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 59-10. All members present voting:
 Yes: Snyder, Davies, DeOrio, Foltz, Peters, Revoldt.
 No: 0.

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance No. 59-10.

Mr. DeOrio moved and Mr. Davies seconded to **adopt under suspension of the rules** Ordinance No. 59-10. All members present voting:
 Yes: Davies, DeOrio, Foltz, Peters, Revoldt, Snyder.
 No: 0.

12. Mr. Revoldt: Item 12. a motion to read by title only, first reading, Ordinance No. 60-10.

Mr. Davies moved and Mr. DeOrio seconded to **read by title only, first reading**, Ordinance No. 60-10. All members present voting:
 Yes: DeOrio, Foltz, Peters, Revoldt, Snyder, Davies.
 No: 0.

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Ordinance No. 60-10 – 1st Reading – Personnel & Safety

An ordinance establishing a rate of compensation and the position of Interim Director of Administrative Services for the City of North Canton and declaring the same to be an emergency.

Mr. Revoldt: Mr. Peters.

Mr. Peters: Yes, I wasn't here last week for this. A little clarification on what some of the job duties are going to be?

Mayor Held: Well, here's what we're going to do. I can cover both here with the City Administrator and also the Director of Administrative Services. Really, what I'm doing is, I've taken Jim Benekos who is serving as the City Administrator or City Engineer – he's also going to serve as the City Administrator. He's not going to give up his responsibilities as the City Engineer; therefore, we're going to give him an increase in pay which I feel you know is well deserved given the level of responsibility that he'll now have. In addition to that Earle Wise is going to assume the position of Director of Administrative Services. And what he's going to continue to do, number one – a few bullet points that I had mentioned at the last meeting, the City is in desperate need of a Master Plan. We really don't have the personnel to drive that – that's one area. Also, economic development, we have one person that serves in the area of economic development and grant writing. Over the past four (4) years, we've brought in 11 million dollars in grant funds and clearly, that's been a big plus to the City. In addition to that, we do have other administrative responsibilities that – really there's – that's a great deal of work that needs to be done and we certainly need support in that area. And so, what I've done – it's no cost to the City and we're actually going to save probably \$7,000 or \$8,000 and we're going to reorganize and we're starting at the top. You also look at Engineering and the Administrative offices. We're going to have Jim's Assistant, Linda, who is also going to be working in our office – in the Mayor's office and the Director of Administration. So, we're trying to bring the departments together geographically, physically. And you know, we'd love to have all the employees working out of one building, but we've got Engineering across the hall, we've got, you know, obviously City Hall here, we've got the Civic Center, we've got the Street Department, we've got a number of locations. Fire & EMS are in separate locations. So, therefore, it does lend itself to some duplication. We bring those departments together, you know, it's going to lend itself to greater cost savings. So, one example of that is by having the two clerical staff in this office here. It solves our problem as far as not having enough support in the office. And then Earle Wise, for the time-being, his office is going to be at Jim Benekos' office in the Engineering Department. But again, this is just the first change. There is more that – more to come but what our goal is to increase our tax base and to decrease our operational costs and maintain the service. And whatever we have to do in order to achieve that, we're going to do, and this is the first step and I think that it's the right step because we're making it right at the top. So I'd ask for your support on this.

Mr. Peters: And I appreciate the clarification. The only reason I asked that question is because as Chairman of the Personnel & Safety, Jim will be my point of contact...

Mayor Held: Yes.

Mr. Peters: on all things personnel.

Mayor Held: Yes, Jim will be. He is the City Administrator – he's the person that is in charge of all the departments, the administrative departments in the City.

Mr. Revoldt: All authority vested in him by the Charter...

Mayor Held: That's right, it's all laid out in the Charter. That's right.

Mr. Davies: If I may, to clarify, because there were comments in the online *Repository* about this that say, how can there be a savings if you're adding a job. We haven't added anymore people...

Mayor Held: Right.

Mr. Davies: ...same number of people...

Mayor Held: Right.

Mr. Davies: ...one...

Mayor Held: Has decreased the greater amount...

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Mr. Davies: A decrease in the compensation and an increase and the increase was less than the decrease...

Mayor Held: That's right.

Mr. Davies: Which leaves about a \$7,000 savings?

Mayor Held: That's right.

Mr. Davies: So there is like a \$7,000 savings and it's a little bit more because of PERS and so forth, but that's why. We didn't add anybody. Same number of people – decrease in one, increase the other but the increase was less than the decrease.

Mayor Held: And I will tell you, just as serving as the City Administrator, whenever there's - whenever you're looking at restructuring your organization, you know, often times I guess to use a football analogy, it depends on what type of offense you have as to the type of quarterback you have. And if you're going to change the offense, you've got to change the quarterback and that's what we've done here. And we try to match the talents and skills that each individual has for the duties that we're going to be undertaking. And I can tell you that there is not anybody in this City that has more knowledge and experience than Jim Benekos does. He has a Masters in Civil Engineering and is a licensed surveyor, so he has all the formal education. He has all the informal experience that - you know, worked for the City of Massillon, worked for Summit County, has been in North Canton now for ten (10) years. And I have absolute confidence in him and, you know, when we make these changes, we want to make sure that we have the right fit. But I can tell you this, that if we did a nationwide search, I can tell you who my top choice would be and it's Jim Benekos, sitting right here, no doubt about it. But, again, you know, we like to follow the process and move in steps and that's why we placed it as an interim.

Mr. Revoldt: Any other questions or comments? Doug.

Mr. Foltz: I like the star quarterback analogy as long as the star running back next to the star quarterback is...

Mr. Davies: Just so we do a better job than the Browns.

Mr. Foltz: Well I guess my point – I guess my point taking out of football terms is that I appreciate everything Eric does, too, I don't want to see his job affected in any way.

Mayor Held: Oh no...

Mr. Foltz: he's a very valuable resource to the City and that goes without saying, but I wasn't here last week either. So, I appreciate the clarification.

Mayor Held: And also, if I can clarify that too, when you look at what Eric's done singlehandedly, I mean really he's a one person Economic Development Department and the work that he's taken on, just managing the five (5) million dollar state grant alone consumes most of his time, and then in addition to everything else that we've thrown at him. But, Eric's been a great sport, very hard worker and he's here on holidays and evenings. So very pleased with the work that Eric's doing and Eric knows that because I tell him regularly, but I appreciate you bringing it up also, Doug.

Mr. Foltz: Alright, thank you.

Mr. Revoldt: I just think there ought to be a statue out front of City Hall for the individual who had the good sense and foresight to hire Mr. Benekos. And so, having said that...

(Laughter)

Mr. DeOrio: It'd be too much to clean the pigeon droppings off it ...inaudible...

Mr. Revoldt: Absolutely, somebody's got to collect the pigeon ...

Mr. Foltz: You must be Paul Brown then – okay...

Mr. Revoldt: So having said that, can I have a motion to adopt the first reading of Ordinance 60-10.

Mr. Davies moved and Mr. DeOrio seconded to **adopt the first reading** of Ordinance No. 60-10. All members present voting:

Yes: Foltz, Peters, Revoldt, Snyder, Davies, DeOrio.

No: 0.

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Mr. Revoldt: Motion to suspend the rules of Ordinance No. 60-10.

Mr. DeOrio moved and Mr. Davies seconded to **suspend the rules** for Ordinance No. 60-10.

All members present voting:

Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz.

No: 0.

Mr. Revoldt: Motion to adopt under the rules as suspended, Ordinance 60-10.

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 60-10. All members present voting:

Yes: Revoldt, Snyder, Davies, DeOrio, Foltz, Peters.

No: 0.

13. Mr. Revoldt: Item 13, a motion to read by title only, first reading, Ordinance No. 61-10.

Mr. Davies moved and Mr. DeOrio seconded to **read by title only, first reading**, Ordinance No. 61-10. All members present voting:

Yes: Snyder, Davies, DeOrio, Foltz (yes with many questions), Peters, Revoldt.

No: 0.

Ordinance No. 61-10 – 1st Reading – Finance & Property

An ordinance to provide an election on the issue of whether alcohol sales and consumption shall be allowed at the North Canton Civic Center, located at 845 West Maple Street, North Canton, Ohio and declaring the same to be an emergency.

Mr. Revoldt: Mr. Foltz, you have some questions?

Mr. Foltz: Yeah, I wasn't here last week. This kind of surprised me. I guess, what are we looking at doing, here, what's – the reasonable we're rushing this. Why is this so important we get it done?

Mr. Snyder: Two things, Mr. Foltz, Mr. President and Members of Council, in concert and consultation with the Superintendent of Utilities and Recreation Chufar, the property is leased and it is still continuing to lose money and we must look at ways that we possibly can shore up our ability to use the asset and rent it more frequently or more profitably than what we are presently renting it at. In order for him, and I speak him, his staff, being able to rent the property within the scope and the limits of the present liquor laws, we need a liquor license on the property. There are events that people want to use it such as some of the schools and the athletic clubs that want to use it, but are prohibited. And we've allowed them to use it outside of the law, by serving liquor there. And we are not ... we are not in compliance with the local liquor laws of the state. There is an exception in the exemption in the present liquor laws that allow a municipally owned civic center or property to apply for a liquor license by general vote of the electorate of the municipality that, within the district that the property lays, and the reason that it's been somewhat, and I apologize, fast tracked, is the legislature has changed the filing deadline to comply with the voting of overseas troops. So it's August 4th, so when we just found that out, we had to fast track that. But it's – but there is no nefarious or no underlying reason to do it other than it allows the ability to use the property legally to dispense alcohol. And they're not going to open it up there and somebody just come along and get a drink because they stopped by. But if there was a party or something, it would be governed by the staff that Tom has at his place right now. And it's all done with the total cooperation of Tom and the staff and the Mayor and Director of Administration.

Mr. Foltz: Well, I appreciate the Administration to weigh in too. Just I wasn't here, Jon...

Mr. Snyder: I know and I apologize, that was the reason it was moved...

Mr. Foltz: I picked up the packet yesterday and – I don't understand though, if there's an event there now, alcohol can be served...

Mr. Snyder: No, it cannot be. Not legally sir. We own the property and you're in violation of the liquor laws by serving...

Mr. Foltz: You mean like weddings and so forth.

Mr. Snyder: Anything that is not a licensed establishment, you can't serve liquor there. You can't bring it in and serve it, even if you bring it yourself. That's not permitted by state law. You have to have a liquor license. The liquor has to be provided by the establishment owner.

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Mr. Foltz: Well was it just beer before?

Mr. Snyder: Any kind of liquor. Anything that's governed by state licensing.

Mr. Davies: I don't believe that's true.

Mayor Held: Just as a ...

Mr. Davies: How did we get around it before?

Mayor Held: A point of clarification, as I understand it, but maybe our Law Director can clarify this. That we just can't sell it.

Mr. Davies: Sell it, right...

Mayor Held: But if - but we can - but in these events where there's been alcohol - it's been served but it hasn't been sold.

Mr. Davies: If you bring it in and give it to your guests, you can do that, there are no laws prohibiting that, but it cannot be sold.

Mayor Held: But what Mr. Snyder is talking about is that, now the City - once this passes, the City will be able to lease it out to organizations that will...

Mr. Snyder: That sell liquor when they have an event.

Mayor Held: ... legally be able to sell it.

Mr. Snyder: Like the and I don't want to - it would be like an athletic group that has drawing there, a reverse raffle and they sell liquor or give liquor with a ticket. They're in violation of the liquor laws.

Mr. Foltz: Because I know I attended something years ago.

Mr. Snyder: Oh, yeah, it's been done...

Mr. Foltz: that just say it's a football booster...

Mr. Snyder: Right...

Mr. Foltz: basketball, whatever, I mean alcohol was served. I thought, is that the premise ...

Mr. Snyder: Can't do that legally.

Mr. Foltz: of the rules where you know, you had to hire security, as you would a wedding reception or something to that effect. I did not know we were actually in violation.

Mr. Snyder: And the onus of the whole thing is to make us competitive with other rental people in the area that can offer that. It also takes the liability away from us from being able to serve the liquor. We're governed by the liquor laws.

Mr. Foltz: Well is it fair to say this setup will be similar to the Fairways, where they have a bar and you walk in there and you can purchase a beer or drink?

Mr. Snyder: Not unless there's an event. It has to be a coordinated event. We're not going to put a little bar there and you go by and get a drink.

Mr. Foltz: Okay, that's what I wanted to know, where this was going.

Mr. Snyder: No, no, no. If you have a - rent it for an event and you need to have liquor served, you can coordinate it through Tom's office and he makes the arrangements for you to be able to do that. But it will not be where the general public just walks up and says I'd like to have a beer, because I want to have a drink because I'm on my way home. That's not the - the type of license, and Hans will describe, when we talked to the people at the liquor control if there's a special license that...

Mr. Nilges: Well what the - let me kind of back up here for a second, and this is about selling alcohol at the premises. But this is the specific question, the ordinance talks about the sale and consumption of alcohol on the premises. This is about the sale of it. When I talked to the Board of Elections, they indicated that where the precinct where the Civic Center is, is a dry portion of the county. So the first step, you know, is we need to make that an area where we could have a liquor permit. And something of an easy way to do that is where you have a community facility like the Civic Center, and you can pass an ordinance and you can get it easily on the ballot and the

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language is statutory, that's included there in your packet. And that will permit the sale and consumption of liquor on the premises. And what Jon is talking about – it is, because we're a municipality, it is easier to obtain a liquor permit once we have an area where we can sell it. And so we'll – the first step is to get – be permitted to sell alcohol at the Civic Center and then also apply for a permit. Once you're allowed to do that, and to Jon's point, the motivation from what I understand is, to make it easier to lease out to a wider variety of people.

Mr. Foltz: But the precinct, itself, still votes on this?

Mr. Nilges: The whole City votes on this particular...

Mr. Snyder: The whole City votes...

Mr. Davies: The whole City...

Mr. Nilges: Yea, this is – this is a little bit different. Yea because it's a – right, I assume the policy, rationale for having the whole City vote for it is because it's a community facility.

Mr. Snyder: Now when we did the Fairways, it permitted because there was a municipal owned golf course which permitted them to apply for a liquor license – that's under a different license.

Mr. Nilges: And what we would do – you know, conceivably what you could do is then the City would have a permit and then that could be transferable at some point.

Mr. Snyder: If you wanted to give it to an operator if that's the case, that's what you're looking for. In this particular case, we want the – Tom Chufar's team to just control it, like he does now but it allows him to make the ability to rent it to these other people that he's not able to rent to now, comfortably. You can do it, but it's not legal.

Mr. Foltz: Okay, well I'll ask the Mayor or Administrator/Engineer Benekos to kind of weigh in on this. Obviously, you're in favor of this?

Mayor Held: Yea, really I think what the City needs to do is, you know, we're certainly in support of putting this on the ballot because we've got to find ways that we can increase the revenue at the Civic Center. And I think that, from what our staff, from what Mr. Chufar has gathered, that we would have greater opportunities to lease this out. And so because of that we would certainly support that – support this.

Mr. Peters: I have a question.

Mr. Revoldt: And one other quick point, the reason we're asking for this on emergency is or the request is the law has changed regarding the time period for...

Mr. Nilges: For when it needs to be on the ballot.

Mr. Revoldt: For when it needs to be on the ballot. So, if we're going to get it on the ballot in November we've got to go now, it can't wait. Unless you'd all like to come back.

Mr. Nilges: What's the date again, Gail?

Mr. Snyder: August 4th.

Mrs. Kalpac: August 4th.

Mr. Nilges: August 4th is the new date.

Mr. Peters: A couple questions. The whole City votes on this since it's a municipal facility. Is it for – is it a liquor license for

Mr. Snyder: Site specific.

Mr. Nilges: It's not a liquor license but it is saying it is specific to the consumption and sale of alcohol at the community facility...

Mr. Peters: It doesn't affect any other part of that precinct?

Mr. Nilges: No...

Mr. Peters: That's important because...

Mr. Nilges: Right.

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Mr. Snyder: Nor no other site in the City.

Mr. Nilges: Right.

Mr. Peters: Okay.

Mr. Snyder: It's right to that one specific site.

Mr. Nilges: And that is actually, yea...

Mr. Peters: You say it's transferable...

Mr. Nilges: I mean like any liquor permit, it would be transferable. It's a two step process. First you need to get the right to sell it there, at the community facility, because it's in a precinct that's dry.

Mr. Peters: What exactly is the classification?

Mr. Snyder: It's a D-5 - it's a 5 or a 6.

Mr. Nilges: I forget.

Mr. Peters: D-6?

Mr. Nilges: It's in my notes somewhere, but I don't have them...

Mr. Snyder: The other thing is it's only transferable on that site. You couldn't move it from that site to another site. It does take Council to move it.

Mr. Revoldt: Councilmanic authorization for transfer.

Mr. Davies: And it would only be transferable if the City maintains ownership of the building.

Mr. Snyder: I think you're right on that.

Mr. Davies: Well, it has to be because it's for the community...

Mr. Nilges: The way the statute reads, and it does talk about - it talks about community facility owned by the City or leased by the City.

Mr. Davies: Right. So if the City were to sell, which we're not talking about - selling the Civic Center, you could not transfer that license to the person that bought the Civic Center. So it's just for the City itself

Mr. Snyder: No, they'd have to go to the precinct and get a vote on that.

Mr. Davies: Right, it would have to all be redone.

Mr. Revoldt: Are we finished?

Mr. Peters: Actually, I have one more because I've been at a couple fund raisers where there was typically just keg beer, boxed wine. Is there going to be a full bar now? I mean that's where your level of income is going to go.

Mayor Held: You know, this is what I think is important to clarify. I think Mr. Snyder's point, this really just stresses his point, in that there's a difference between serving alcohol and selling alcohol and I'm sure there's been a number of instances where it was somewhat questionable or maybe not consistent with what they're supposed to be doing. The City is able to serve alcohol. We serve alcohol there now and that's why we have to have the additional security down there whenever we do that. But this will allow the individuals that are leasing or renting that evening to sell it. So if there is some point of question as far as you know a fund raiser where they're selling tickets, this really covers the City. This is you know really the primary motivation is to make sure that the City is covered.

Mr. Davies: You get into a gray area...

Mayor Held: Yes.

Mr. Davies: If you're selling tickets and provide alcohol, it can be construed ...

Mayor Held: That's right.

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Mr. Davies: as though they're paying for the alcohol ...
 Mayor Held: That's right.

Mr. Davies: which makes you sell it, which you're not allowed to do.
 Mayor Held: That's right.

Mr. Peters: That wasn't actually what - where I was getting at with the question. I'm talking, increasing the revenue so the people ...

Mayor Held: Because there's times where individuals that are maybe more strict in their interpretation of what they can and can't do, will not lease the Civic Center.

Mr. Peters: No I understand that, but what I'm saying, if you have a group that rents it for a function, the will be selling?

Mr. Snyder: But they'll buy our liquor, they have to come through Tom...

Mr. Peters: They will buy from us, okay.

Mr. Snyder: Yea, he provides the key to the liquor. I mean he buys the liquor and then sells it to them. But he controls the whole - if he doesn't want them there, doesn't want them to have liquor, that's his decision - that's his - basically he's the steward of that property. He makes those decisions.

Mr. Peters: You can, you know, basically restrict them to just beer and wine if you wanted or spirituous liquor?

Mr. Snyder: Whatever we wanted to do.

Mr. Revoldt: We'll have to probably set some policy guidelines.
 Mr. Peters: Okay.

Mr. Foltz: Yea, there's a lot that we've got to discuss yet, obviously.
 Mr. Peters: Yea.

Mr. Revoldt: There's a lot to discuss.
 Mr. Davies: Inaudible...

Mr. Revoldt: Okay, but it doesn't - nothing happens unless we put this on the ballot.

Mr. Davies: What it does, any organization can get a one day permit, okay, from the state to sell. So but this makes it more conducive to rent our center because then they don't have to go through the garbage and the time constraints to get that permit and so forth. Now we can do it without them having to get a special one day permit so it's more conducive to rent the center.

Mr. Peters: It allows us to keep inventory, you know, and keep track of that profit. You know that's - okay.

Mr. Snyder: May only be a couple, \$300, but it's a couple, \$300 we didn't have.

Mr. Revoldt: Does anyone have a question for Tom?

Mr. Foltz: Do you have any comment, Tom?

Mr. Chufar: The only comment I have is just like how David said, the biggest thing is the gray area. Baseball rented the facility last year, they wanted to bring in wine. Well they couldn't because they weren't allowed to sell it. They could give beer - you know keg beer, that was fine, but they wanted to do box wine. Legally they couldn't do it. And there was a lot of people that were very upset they couldn't do it. So this way we'll allow it to be able to happen and there's going to be lots of other organizations that would want to. So, now that we're going to have that legal backing you know to do it properly, they're going to come in and it keeps us covered. I'd rather do it legal than...

Mr. Revoldt: Just as an ...inaudible... and I think you've put your, and I apologize for interrupting you, but you've put your finger on a really critical point here. We don't want any of our nonprofits to inadvertently compromise themselves by illegal behavior. We really would like them all to be in full compliance of the law.

Mr. Chufar: That's it. That's it in a nutshell, we'd rather do it right than ask for forgiveness later. That doesn't work. So now that we know, this is the right thing to do.

Mr. Revoldt: Any other questions or comments at this time?

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Mr. Osborne (speaking from the audience): I'm confused, who's selling the liquor.

Mr. Revoldt: Well hold it. Okay. (gavel) You know...

Mr. DeOrio: I need a drink.

Mr. Snyder: Let's adjourn to the Civic Center.

Mr. Revoldt: We have -- we've read this, if there are no other questions from the Council, can I have a motion to adopt the first reading of Ordinance No. 61-10?

Mr. Davies moved and Mr. DeOrio seconded to **adopt the first reading** of Ordinance No. 61-10. All members present voting:

Yes: Davies, DeOrio, Foltz, Peters, Revoldt, Snyder.

No: 0.

Mr. Revoldt: Motion to suspend the rules for Ordinance No. 61-10.

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 61-10. All members present voting:

Yes: DeOrio, Foltz, Peters, Revoldt, Snyder, Davies.

No: 0.

Mr. Revoldt: Motion to adopt under the rules as suspended, Ordinance 61-10.

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 61-10. All members present voting:

Yes: Foltz, Peters, Revoldt, Snyder, Davies, DeOrio.

No: 0.

14. Mr. Revoldt: Item 14, motion to read by title only, first reading, Resolution No. 62-10.

Mr. Davies moved and Mr. Peters seconded to **read by title only, first reading**, Resolution No. 62-10. All members present voting:

Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz.

No: 0.

Resolution No. 62-10 -- 1st Reading -- Finance & Property

A Resolution adopting the Alternative Tax Budget of the City of North Canton, Ohio, for the year 2011 and declaring the same to be an emergency.

Mr. Revoldt: Mr. Snyder.

Mr. Snyder: The purpose of this, Mr. President and Members of Council, we'll be in adjournment for about four plus weeks. The time to file this will be right upon us when we return. So consequently, the document is not totally prepared at this time -- it will be over the period that we are on our little sabbatical and when we return there will be not time to allow for proper committee, which we had last week, and the adoption of this at the same time. So we will have one more Council Meeting previous to. We'd like to have this first reading and then I don't think you wanted to adopt it on this time, did you...

Mr. Revoldt: We do not. We'll do this on the 16th.

Mr. Snyder: Then we'll do it on the 16th. But we are putting it in here so that it allows us to eliminate that process because the document is not ready so we will be adopting something that has not been even completed yet. But Director Zumbar will have that for us when we return and we will consider it and then, but, so you know about it so that's the reason for that -- it's more of a pro-active approach to it than we've done in the past. Because the time was changed, was it shortened up...

Mr. Zumbar: They changed the time and the auditors actually called me today and sent an email saying that we do have until the 31st of August. However, I'll have this rapped up by the time you come back. It will give me ten (10) days to get it down to them by that time.

Mr. Revoldt: Any other questions? Motion to adopt the first reading of Ordinance No. 62-10.

Mr. Davies moved and Mr. DeOrio seconded to **adopt the first reading** of Ordinance No. 62-10. All members present voting:

Yes: Revoldt, Snyder, Davies, DeOrio, Foltz, Peters.

No: 0.

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Held Monday, July 12, 7:00 p.m. 20 10

Mr. Revoldt: I'd like to have a motion, per Mr. Snyder's remarks, for a Special Council Meeting on Monday, August 16, 2010 at 6:50 PM to consider Resolution No. 62-10.

Mr. Davies moved and Mr. DeOrio seconded to **schedule a Special Council Meeting on Monday, August 16, 2010 at 6:50 PM to consider Resolution No. 62-10.** All members present voting:

Yes: Snyder, Davies, DeOrio, Foltz, Peters, Revoldt.

No: 0.

REPORTS:

Mr. Revoldt: Reports, Director of Law.

Mr. Nilges: None.

Mr. Revoldt: Director of Finance.

Mr. Zumbar: Just to remind Council Members that the Post Audit is scheduled for this Wednesday at 9:00 a.m. It is outside the Sunshine Law. It is also confidential. When the state releases the Audit the CAFR (Comprehensive Annual Financial Report) will then be made public.

Mr. Snyder: I thought it was 8:30?

Mr. Zumbar: 8:30? I'm sorry, it is 8:30.

Mr. Revoldt: Mr. Mayor.

Mayor Held: Yes, just to recap the two mile and five mile race went very well on July 5th. We had – there wasn't a record this year, but I think that the attendance was a little bit down because it was on July 5th rather than the 4th which was a Monday, but nevertheless had over 2100 people participating in the race which turned out really well. July 4th Fireworks, we had a nice sponsor from Quaker Steak & Lube and also the Jaycees. Great display, so that went very well. And then also we do have really good news in reference to the street sweeping issue. It's not fully resolved at this point but we're one major step closer to having this resolved. We did receive a letter from Jean B. Seidel, she's a Regulatory Project Manager out of the Dover Regulatory Field Office for the Army Corps of Engineers, and they did have a June 23rd meeting with – along with the Ohio EPA and our staff here in the City of North Canton. And she did write to state that – and I'll just read the email that we received, this was last Friday, "if you recall at the meeting I determined that there was a wetland in the questionable area bordering the northern property line on the west side of the site. Given that the wetland extended south to the face of the fill on the Mathie Supply property, I needed to conduct additional research to determine if the wetland historically extended through the filled area, and if so, when the wetland was filled. From my research, I have concluded that there was fill on this part of the property prior to 1972 and thus prior to the Clean Water Act. Therefore, there is no violation of Section 404 of the Clean Water Act. If you have any questions, feel free to call me at this number listed below." So, we are not going to be removing any fill in that area due to the wetlands and the Clean Water Act which was really one of the major concerns of the City. And we felt confident that that was the ruling that we were going to get from the Army Corps of Engineers, but nevertheless, we wanted to follow the process and make sure that we had everything covered. And then in reference to the street sweepings, the Ohio EPA, I have met with them twice on this issue. We brought some of our staff members down to the Ohio EPA initially and then I've had subsequent meetings and telephone conversations with Pam Allen who is the Chief of the Solid Waste Division. They're in the process of developing, modeling new policies from other states that presently collect street sweepings and then they will separate the pop cans or the plastic bottles that are occasionally swept up by a street sweeper and they will use the street sweepings, the clean street sweepings as a part of road grit in the winter. They will use it as backfill along the roadways which ODOT has historically used as backfill. So the City of North Canton or any other political subdivision, once this policy is complete, will be able to use the street sweepings as backfill along municipally owned roadways and we'll also be able to use it as road grit, but we'll have to go through some sort of process in order to filter out any garbage that might be in that. So, that's really good news. And we are working on a Regional Plan with the political subdivisions in throughout Stark County, that whatever, we're not sure what the requirements are, it may require a trammel where similar to screening topsoil, where you'll screen it and then you can lay it back down and you'll take out the unwanted material. That's what we plan on doing. If there's a cost associated with it, we would work with the neighboring Jackson Township, Plain, and others that are collecting street sweepings to screen that. But we don't know what the policy is at this point. So that's real good news. That's all I have.

Mr. Revoldt: Director of Administration.

Mr. Benekos: Thank you. Aside from thanking you for your support and your kind words, I just have one item. And the City website, we've started reconstructing that and hopefully within the next couple months we'll have a new website. So, you won't see anything on the existing website, we're going to scrap that and start a whole new one. So when that comes out we'll let you know as that approaches and possibly solicit any comments or concerns you have on that.

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Mr. Revoldt: LeBron Bowles.
Mr. Bowles: No report.

REPORTS – COUNCIL:

Mr. Revoldt: Mr. Foltz.
Mr. Foltz: No report.

Mr. Revoldt: Mr. Peters.
Mr. Peters: No report.

Mr. Revoldt: Mr. Davies.
Mr. Davies: No report.

Mr. Revoldt: Mr. DeOrio.
Mr. DeOrio: None.

Mr. Revoldt: Mr. Snyder.

Mr. Snyder: The only thing I would say, Mr. Benekos, I do appreciate the letter and I do appreciate your open door policy to myself and I'm sure all my colleagues, but that's a breath of fresh air to know at least that we are able to communicate to you. And that we have the ability, not necessarily to always get what we want, just make sure you get everything I tell you to do and get it straight. Other than that I don't care what you do.

Mr. Revoldt: What do you mean? Inaudible...

Mr. Snyder: But I do very very much appreciate that that was very professional on your part and I appreciate you sending it in.

Mr. Revoldt: Just quickly before – one final piece of business. Certainly I would encourage you to consult with Eric on that website. Those websites are - can be critical to site selectors who are looking at communities for economic development. And I think we'd like to have a really nice splash on that score, on that new website. We will, this is our last meeting – scheduled meeting until August 16th when we will reconvene. And with that I will make a final call for business. Mr. Osborne, you have...

FINAL CALL FOR NEW BUSINESS:

Mr. Osborne: I have one question. I understand we've raised Mr. Benekos' salary \$10,000 to accommodate his duties as a City Administrator. Could someone construe that the 80 some odd thousand dollars we were paying for the former City Administrator was overpayment for the duties?

Mr. Snyder: His salary was lowered. You mean the former one?

Mr. Osborne: The former City Administrator was paid, what 84, 86 thousand?

Mayor Held: There's ...

Mr. Osborne: And Mr. Benekos has taken over those duties for 10,000. So there seems to be a big disparity between.

Mr. Snyder: Well he keeps his own salary besides.

Mr. Revoldt: We...

Mr. Osborne: He's taken on the entire duties of City Administrator and he's doing it for 10,000. You were paying the previous Administrator, what \$85,000 a year?

Mr. Davies: Chuck, he's a good Christian.

Mr. Osborne: Thank you.

Mr. Revoldt: Thank you. May I have a - is there anyone else who wishes to address the Council? Seeing none, then I'll entertain a motion to adjourn.

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Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 1014B

Held

Monday, July 12,

7:00 p.m.

20 10

ADJOURN:

Mr. DeOrio moved and Mr. Davies seconded to adjourn the council meeting. All members present voting:

Yes: Davies, DeOrio, Foltz, Peters, Revoldt, Snyder.

No: 0.

The meeting adjourned at 8:11 p.m.


PRESIDENT OF COUNCIL

ATTEST:


CLERK OF COUNCIL

7/30/10-gmk